

REMARKS

Claims 1, 2, 6-12 and 14-17 are pending.

Claims 1, 2, 6 and 16 stand rejected under 35 USC §112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter that the Applicant regards as the invention.

Claims 1, 2, 5-8, 10 and 11 stand rejected under 35 USC §103(a) as being allegedly unpatentable over *McCanne et al.* (US Patent No. 6,415,323) in view of *Yamano* (US Patent No. 6,314,088).

Changes in the Claims:

Claims 1, 2, 7, and 10 have been amended in this application to further particularly point out and distinctly claim subject matter regarded as the invention. The amendments are supported by the specification as originally filed, for example, at paragraph [0084]-[0087]. No new matter has been added.

Claim 14 has been cancelled.

Rejection under 35 USC §112, second paragraph – claims 1, 2, 6 and 16

Claims 1, 2, 6 and 16 stand rejected under 35 USC §112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter that the Applicant regards as the invention. This rejection is respectfully traversed.

The Office Action alleges that the phrase “the network layer anycast address” in claims 1, 2, 6 and 16 lacks antecedent basis. Claim 1, 2, 6 and 16 has been amended accordingly. The claims now meet the statutory requirements.

Rejection under 35 USC §103(a) – claims 1, 2, 5-8, 10 and 11

Claims 1, 2, 5-8, 10 and 11 stand rejected under 35 USC §103(a) as being allegedly unpatentable over *McCanne et al.* (US Patent No. 6,415,323) in view of *Yamano* (US Patent No. 6,314,088). This rejection is respectfully traversed.

Under MPEP §706.02(j), in order to establish a prima facie case of obviousness required for a §103 rejection, three basic criteria must be met: (1) there must be some

suggestion or motivation either in the references or knowledge generally available to modify the reference or combine reference teachings (MPEP §2143.01), (2) a reasonable expectation of success (MPEP §2143.02), and (3) the prior art must teach or suggest all the claim limitations (MPEP §2143.03). See *In re Royka*, 490 F. 2d 981, 180 USPQ 580 (CCPA 1974).

McCanne describes a proximity-based redirection system. A user initiates a content request by clicking on a web link. The client initiates a normal application connection using the anycast address. The client's packets are routed to the nearest ARN. If the data is available, then the ARN can either respond with the content directly or **redirect** the requesting client to a service node. *McCanne*, Col. 15, line 58 - Col. 16, line 35.

Yamano describes a node configuration set up system.

Applicant respectfully submits that the proposed combination of *McCanne* and *Yamano* does not teach or suggest to one of ordinary skills in the art, all of the claim limitations of claims 1, 2, 5-8, 10 and 11. In particular, neither *McCanne* and *Yamano* teach or suggest "receiving **a request to resolve the anycast network address** at the information object repository, wherein the **request to resolve comprises a single IP packet** having the anycast network address" and "returning **an anycast resolution response** in response to the request to resolve, **the anycast resolution response comprising a single IP packet** having the corresponding unicast network address." (emphasis added).

McCanne describes that "any packet sent to an address in block A from anywhere in the Internet is routed to the master AS". Col. 8, lines 12-13. However, *McCanne* is silent as to receiving **a request to resolve** the anycast network address. *McCanne* receives **a request for content** from a client that is **redirected** to a service node. The client in *McCanne* only asks for content but does **not** specifically request to resolve the anycast network address. Furthermore, the client in *McCanne* does **not** receive an anycast resolution response in response to the request to resolve, the anycast resolution response comprising a single IP packet having the anycast network address – as recited in the present claims.

Yamano is silent as to the above recited limitations.

Applicant therefore submits that the rejection based the *McCanne* and *Yamano* reference be withdrawn. Thus, Applicant submits that claims 1, 2, 5-8, 10 and 11 recite novel subject matter which distinguishes over any possible combination of *McCanne* and *Yamano*.

Rejection under 35 USC §103(a) – claims 9, 12, 14, and 15

Claims 9, 12, 14, and 15 stand rejected under 35 USC §103(a) as being allegedly unpatentable over *McCanne* et al. (US Patent No. 6,415,323) and *Yamano* (US Patent No. 6,314,088) in view of *Kraft*. This rejection is respectfully traversed. Rejection to Claim 14 is now moot since Claim 14 has been canceled.

The above arguments are equally applicable.

Thus, Applicant submits that claims 9, 12, and 15 recite novel subject matter which distinguishes over any possible combination of *McCanne*, *Yamano*, and *Kraft*.

Rejection under 35 USC §103(a) – claim 17

Claim 17 stand rejected under 35 USC §103(a) as being allegedly unpatentable over *McCanne* et al. (US Patent No. 6,415,323), *Yamano* (US Patent No. 6,314,088), *Kraft* in view of *McCanne.2* ('872). This rejection is respectfully traversed.

The above arguments are equally applicable.

Thus, Applicant submits that claim 17 recites novel subject matter which distinguishes over any possible combination of *McCanne*, *Yamano*, *Kraft*, and *McCanne.2*.

Conclusion

For all of the above reasons, applicants submit that the amended claims are now in proper form, and that the amended claims all define patentable subject matter over the prior art. Therefore, Applicants submit that this application is now in condition for allowance.

Request for allowance

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.

Invitation for a Telephone Interview

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Extension of Time

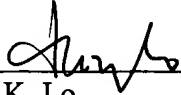
Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: _____

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